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NOTES OF CASES.

PAROL AGREEMENTS—CONTRACT TO MARRY.—A contract to marry within three years is held, in *Lewis v. Tapman* (Md.), 47 L. R. A. 385, not to be within the provision of the statute of frauds as to agreements not to be performed within a year.

COMMON CARRIERS.—A licensed carrier within a city, hauling for all who require his services, is held, in *Farley v. Lavary* (Ky.), 47 L. R. A. 383, to be liable as a common carrier while carrying goods outside the city, although he could not have been compelled to take them outside the city.

INTERSTATE COMMERCE.—An agent of a laundry in another State who collects garments and sends them out of the State to be washed and laundered and afterwards redelivers them to their owners is held, in *Smith v. Jackson* (Tenn.), 47 L. R. A. 416, not to be engaged in commerce so as to be protected against a privilege tax.

COVENANTS RUNNING WITH LAND—FENCES.—A covenant in a deed to a railroad company, by which the grantors agree to build a fence along the railroad or not hold the company responsible for damages to stock, is held, in *Brown v. Southern Pac. Co.* (Or.), 47 L. R. A. 409, to be personal to the grantors, and not to run with the land.

PARENT AND CHILD—MOTHER'S RIGHT TO SUE FOR PERSONAL INJURY TO CHILD.—A mother is held, in *Keller v. St. Louis* (Mo.), 47 L. R. A. 391, not to be entitled to damages for injuries to a minor child, the care and custody of which have been given to her by a divorce decree, where the father is still charged with the duty of supporting the child.

STATUTE OF LIMITATIONS—OBLIGATION IMPOSED BY STATUTE.—The obligation imposed by statute upon a county to pay bonds of another county from which it was formed is held, in *Robertson v. Blaine County* (C. C. A. 9th C.), 47 L. R. A. 459, to be in the nature of a specialty, and not governed by a statute as to the time for actions on contract obligations or obligations in writing.

LIEN OF JUDGMENTS OF FEDERAL COURTS.—The restriction upon the lien of judgments of Federal courts which a State statute attempted to impose was held, in *Blair v. Ostrander* (Iowa), 47 L. R. A. 469, to be ineffectual prior to the act of Congress of August 1, 1888, but was held operative thereafter. The annotation to this case presents the decisions on the subject of the lien of judgments of Federal courts.

GARNISHMENT OF EXECUTORS.—Garnishment against an executor to reach a debt of the decedent before decree for distribution of assets, is denied in *Hudson v. Wilber* (Mich.), 47 L. R. A. 345, in the absence of statutory permission, although

the debt has been placed in judgment in a suit revived against the executor. The numerous authorities on the question of garnishment of executors or administrators are reviewed in a note to this case. See *White v. Coleman*, 31 Gratt. 784.

TRADEMARK—GEOGRAPHICAL NAME—"POCAHONTAS COAL."—The case of *Coffman v. Castner* (U. S. Circ. Ct. App.), reported in full in 4 Va. Law Reg. 150, in which it was held that the word "Pocahontas," as applied to coal from the famous Pocahontas coal section of Virginia, was a geographical term, and could not be appropriated as a trademark, as against the owners of any coal mines in that section, has been affirmed on appeal by the Supreme Court of the United States. 20 Sup. Ct. 842.

FRAUD—CONSPIRACY BETWEEN DEBTOR AND OTHER PERSONS TO DEFRAUD GENERAL CREDITOR.—The right of a general creditor to maintain an action on the case for conspiracy of the debtor and other persons to dispose of the debtor's property fraudulently, and defeat his claim is denied in *Field v. Siegel* (Wis.), 47 L. R. A. 433, if there was no fraud in the creation of the debt. With this case is a note reviewing the authorities on the right of action by a general creditor for damages against a third party on account of fraud in disposing of the debtor's property or preventing the collection of the claim.

NEGLIGENCE—INJURIES CAUSED BY FRIGHT.—A recovery for sickness due to the purely internal operation of fright caused by a negligent act is denied in *Smith v. Postal Teleg. Cable Co.* (Mass.), 47 L. R. A. 323, even if the negligence was gross and the party in fault ought to have known that the result would follow his act.

But, on the other hand, physical injury resulting from fright or other mental shock caused by wrongful act or omission is held, in *Gulf C. & S. F. R. Co. v. Hayter* (Tex.), 47 L. R. A. 325, to be sufficient to sustain a recovery of damages, if the negligence or wrong was the proximate cause of the injury and the injury ought, in the light of all the circumstances, to have been foreseen as a natural or probable consequence thereof.

CONSTITUTIONAL LAW—STATUTE PROHIBITING ACTION IN FOREIGN STATE TO SUBJECT WAGES OF LABORERS.—In the case of *In re Flukes*, 57 S. W. 545, it is held by the Supreme Court of Missouri that a State statute prohibiting any person or corporation from sending any note account or other *chose in action* out of the State for the purpose of causing suit to be instituted thereon in a foreign jurisdiction against a citizen of the State, and subjecting the wages of such citizen to the payment of a judgment thereon by garnishment served upon any person or corporation subject to the jurisdiction of the courts of Missouri, is unconstitutional. The court places the unconstitutionality of the statute on several grounds: (1) That in taking away the right to sue, which is one of the essential attributes of property, the creditor is deprived of his property without due process of law. (2) That the statute infringes article 4, sec. 2 of the Federal Constitution providing that citizens of each State shall be entitled to all privileges of citizens in the several States. (3) That it deprives the creditor of equal protection of the